AK

	Application No.	Applicant(s)
Notice of Allowability	10/665,580	FERNANDEZ ET AL.
	Examiner	Art Unit	
	Hien X. Vo	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *amemdment filed 09/16/05*.

2. ☒ The allowed claim(s) is/are *1-10*.

3. ☒ The drawings filed on *19 September 2003* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
    Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

Allowable Subject Matter

1.   Claims 1-10 allowed.

2.   The following is an examiner's statement of reasons for allowance:

As per claim 1, none of the prior art teach singularly or in combination defining a

collection of resources, each such resource being a source of application events; and

defining a first transaction as a timeframe for measuring application responsiveness,

the first transaction including a pattern of application events from resources in the

collection of resources, the pattern defined as a block of constructs, wherein each

construct in the block of constructs is selected from a group of construct syntaxes

consisting of an event construct syntax, a choice construct syntax, a sequence

construct syntax, and a last construct syntax, wherein: the event construct syntax

specifies a category of application events for the pattern to accept; the choice construct

syntax specifies an option set of constructs from the group of construct syntaxes, any

one of which is acceptable to the pattern; the sequence construct syntax specifies a

sequence of constructs from the group of construct syntaxes, for the pattern to accept

sequentially; and the last construct syntax specifies a final set of constructs from the

group of construct syntaxes, such that the final set of constructs must be satisfied for

the pattern to be matched.

As per claim 4, none of the prior art teach singularly or in combination detecting an application instance that has a stream of application events, instantiating a finite state machine to recognize transactions in the stream of application events for the application instance, the finite state machine including a collection of states and a collection of transitions, each such transition having criteria for events that qualify to transition between a source state for the transition and a destination state for the transition, the source state and the destination state being among the collection of states, associating a first token with an initial state in the collection of states, processing the stream of application events sequentially, including, for each such event, comparing the event to a processed transition in the collection of transitions and associating an event token with the destination state of the processed transition if the event satisfies the criteria of the processed transition; and recognizing a transaction if a final state in the collection of states is associated with the event token for a candidate event in the stream of application events.

As per claims 5 and 9, none of the prior art teach singularly or in combination receiving a message that specifies a responsiveness measure, a client, a server, and a networked service; selecting from a database a path corresponding to the client and the server, and a client set corresponding to the client, and adding the responsiveness measure to an aggregate sample of a plurality of clients, the aggregate sample selected according to the set, the path, and the networked service.

As per claim 7, none of the prior art teach singularly or in combination constructing a collection of string descriptions of window properties, including:

generating a base string description for a base window having an ancestry

hierarchy of parent windows, and recursively generating subsequent string descriptions

of the parent windows by following the ancestry hierarchy; calculating a hash of the

collection of string descriptions; identifying the base window with an object identifier that

combines an application name for an application associated with the base window, a

numeric length of the collection of string descriptions, and the hash.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hien X. Vo whose telephone number is (571) 272-2282.

The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
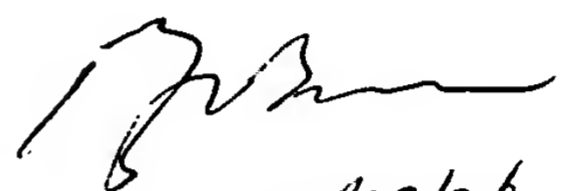
you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Hien Vo
02/02/06

BRYAN BUI
PRIMARY EXAMINER

2/13/06